

TRANSMITTAL LETTER  
(General - Patent Pending)

Docket No.

A413-JN

In Re Application Of: Young Kook Cho

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/684034	10/14/03	Gehman, Bryon P.		3728	

Title: Cap Device For Mixing Different Kinds of Materials Separately Contained Therein and In Bottle.

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

1. Response to Notice of Non-Compliant Amendment
2. Replacement sheet of drawing
3. copy of notice

in the above identified application.

- No additional fee is required.
- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below.
- Charge the amount of \_\_\_\_\_.
  - Credit any overpayment.
  - Charge any additional fee required.
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Dated: September 22, 2005

Jerry H. Noh  
reg. no. 44,263  
3435-Wilshire blvd suite 2741  
Los Angeles, CA 90010

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

09/22/05

(Date)

Signature of Person Mailing Correspondence

Jerry H. Noh

Typed or Printed Name of Person Mailing Correspondence

cc:



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) PATENTS  
Young Kook Cho ) Primary Examiner:  
Serial No. 10/684,034 ) Bryon P. Gehman  
Filed: October 14, 2003 ) Art Unit 3728  
For: CAP DEVICE FOR MIXING )  
DIFFERENT KINDS OF MATERIALS) )  
SEPARATELY CONTAINED )  
THEREIN AND IN BOTTLE )

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the notice of non-compliant amendment, attached herewith is a replacement sheet of figure 1 appropriately labeled as replacement sheet as required by the examiner.

Please pass the patent application to registration.

Respectfully submitted,

By:

Jerry H. Noh  
Registration No. 44,263  
Attorney for Applicant

Dated: September 22, 2005



## Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.	Applicant(s)
10/684034	CHO, YOUNG KOOK
Examiner	Art Unit
GEHMAN, BRYON P.	3728

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on 2 September 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other \_\_\_\_\_.
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_.
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other \_\_\_\_\_.
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: \_\_\_\_\_.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preqnotice/officeflyer.pdf>.

### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

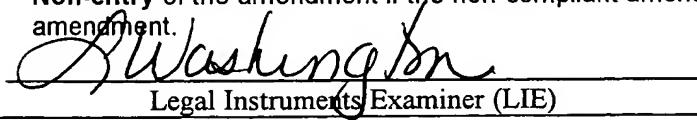
1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

**Extensions of time** are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

  
Legal Instruments Examiner (LIE)

571-222 4397  
Telephone No.